



**CITY OF LODI
COUNCIL COMMUNICATION**

AGENDA TITLE: Adopt Resolution Authorizing City Manager to Execute Contract for Citywide Tree Survey 2012 with West Coast Arborists, Inc., of Anaheim (\$19,275) and Appropriating Funds (\$22,000)

MEETING DATE: May 2, 2012

PREPARED BY: Public Works Director

RECOMMENDED ACTION: Adopt resolution authorizing City Manager to execute contract for citywide tree survey 2012 with West Coast Arborists, Inc., of Anaheim, in the amount of \$19,275, and appropriating funds in the amount of \$22,000.

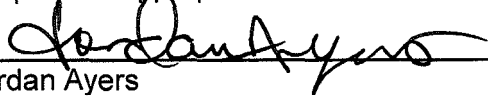
BACKGROUND INFORMATION: The Public Works Department Street Division manages the City's urban forest, which includes nearly 10,000 trees located in the public right-of-way, parks and at City facilities. A properly-managed urban forest is a valuable asset to our community, not only aesthetically by softening and providing natural character to City properties, reducing noise, and providing historical value, but also by providing emotional and psychological benefits to Lodi's citizens. Additionally, a well-maintained urban forest provides environmental benefits by moderating climate effects and improving air quality. This project includes updating the existing tree inventory prepared in 2001 to reflect the size, location, and health of City trees. This information will enable City staff to properly prioritize and budget tree maintenance needs, which minimizes the risk of injury or damage from falling trees and branches.

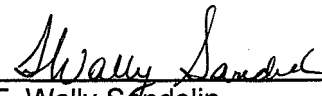
Specifications for this project were approved on February 15, 2012. The City received the following three bids for this project on April 11, 2012. The project estimate for this project was \$25,000.

Bidder	Location	Bid
West Coast Arborists, Inc.	Anaheim	\$19,275
Davey Resource Group	Kent, Ohio	\$39,888
Rumble Tree Company	Modesto	\$53,200

FISCAL IMPACT: An updated tree inventory will enable cost-effective management and maintenance of the City's urban forest and will reduce liability associated with falling trees and limbs.

FUNDING AVAILABLE: Requested Appropriation: Gas Tax Fund (3215036) - \$22,000

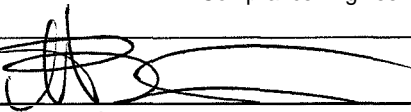

 Jordan Ayers
 Deputy City Manager/Internal Services Director


 F. Wally Sandelin
 Public Works Director

Prepared by Kathryn E. Garcia, Compliance Engineer
 FWS/KMG/pmf
 cc: Deputy Public Works Director - Utilities

Compliance Engineer

APPROVED:


 Konradt Bartlam, City Manager

CITY OF LODI, CALIFORNIA

THIS CONTRACT, made by and between the CITY OF LODI, State of California, herein referred to as "City" and WEST COAST ARBORISTS, INC., herein called "Contractor."

W I T N E S S E T H :

That the parties hereto have mutually covenanted and agreed, and by these presents do covenant and agree with each other, as follows:

The complete contract consists of the following documents, which are filed in the Public Works Department, which are incorporated herein by this reference, to-wit:

Notice Inviting Bids	The July 1992 Edition Standard
Information to Bidders	Specifications, State of California
General Provisions	Business and Transportation
Special Provisions	Agency, Department of
Bid Proposal	Transportation
Contract	
Contract Bond	
Exhibit A- Standard Plan 140	
Exhibit B - Tree Planting Site Plan	

All of the above documents, sometimes hereinafter referred to as the "Contract Documents," are intended to cooperate so that any work called for in one and not mentioned in the other is to be executed the same as if mentioned in all said documents.

ARTICLE I That for and in consideration of the payments and agreements hereinafter mentioned to be made and performed by the City and under the condition expressed in the bond bearing even date with these presents and hereunto annexed, the Contractor agrees with the City, at Contractor's cost and expense, to do all the work and furnish all the materials except such as are mentioned in the specifications to be furnished by the City, necessary to perform and complete in a good workmanlike and substantial manner and to the satisfaction of the City as shown and described in the Contract Documents which are hereby made a part of the Contract.

ARTICLE II The City hereby promises and agrees with the Contractor to employ, and does hereby employ, the Contractor to provide all materials and services not supplied by the City and to do the work according to the terms and conditions for the price herein, and hereby contracts to pay the same as set forth in Section 5-600, "Measurement, Acceptance and Payment," of the General Provisions, in the manner and upon the conditions above set forth; and the said parties for themselves, their heirs, executors, administrators, successors and assigns, do hereby agree to the full performance of the covenants herein contained.

ARTICLE III The Contractor agrees to conform to the provisions of Chapter 1, Part 7, Division 2 of the Labor Code. The Contractor and any Subcontractor will pay the general prevailing wage rate and other employer payments for health and welfare, pension, vacation, travel time, and subsistence pay, apprenticeship or other training programs. The responsibility for compliance with these Labor Code requirements is on the contractor.

ARTICLE IV And the Contractor agrees to receive and accept the following prices as full compensation for furnishing the work contemplated and embraced in this agreement; also for all loss or damage arising out of the nature of the work aforesaid or from the action of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work until its acceptance by the City, and for all risks of every description connected with the work; also for all expenses incurred by or in consequence of the suspension or discontinuance of work; and for well and faithfully completing the work, and the whole thereof, in the manner and according to the Contract Documents and the requirements of the Engineer under them, to-wit:

Perform the work necessary for the planting of 34 trees. Planting includes the tree, stakes, ties and complete installation which will require, but will not be limited to, removing existing shrubs, roots, and relocating existing irrigation lines and other incidental and related work in accordance with these specifications.

**CITY-WIDE TREE SURVEY 2012
BID PROPOSAL**

BID ITEM 1. CITY-WIDE TREE SURVEY

ITEM	QUANTITY	ITEM	UNIT	UNIT COST	TOTAL ITEM COST
1	6,500	Physical Tree Inventory – within City Right-of-Way & Facilities	Per Tree Site	\$ 1.75	\$ 11,375.00
2	3,400	Physical Tree Inventory – within City Parks	Per Tree Site	\$ 1.75	\$ 5,950.00
3	1	Use of Tree Management Software	Annually	\$ 1,200.00	\$ 1,200.00
4	10	Consulting Arborist Services	Hourly	\$ 75.00	\$ 750.00
TOTAL COST					\$ 19,275.00

References must be submitted with bid proposal as described in Section 2.1400.

ARTICLE V By my signature hereunder, as Contractor, I certify that I am aware of the provisions of Section 3700 of the Labor Code, which requires every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the provisions of that code, and I will comply with such provisions before commencing the performance of the work of this contract.

ARTICLE VI It is further expressly agreed by and between the parties hereto that, should there be any conflict between the terms of this instrument and the Bid Proposal of the Contractor, then this instrument shall control and nothing herein shall ~~be~~ considered as an acceptance of the said terms of said proposal conflicting herewith.

ARTICLE VII The City is to furnish the necessary rights-of-way and easements and to establish lines and grades for the work as specified under the Special Provisions. All labor or materials not mentioned specifically as being done by the City will be supplied by the Contractor to accomplish the work as outlined in the specifications.

ARTICLE VIII The Contractor agrees to commence work pursuant to this contract within 15 calendar days after the City Manager has executed the contract and to diligently prosecute to completion within the allotted number of working days:

Sixty (60) Calendar Days after receipt of the Notice to Proceed.

WHEN SIGNING THIS CONTRACT, THE CONTRACTOR AGREES THAT THE TIME OF COMPLETION FOR THIS CONTRACT ~~IS~~ REASONABLE AND THE CONTRACTOR AGREES TO PAY THE CITY LIQUIDATED DAMAGES AS SET FORTH IN SECTION 6-04.03 OF THE SPECIAL PROVISIONS. CONTRACTOR AGREES THAT THIS AMOUNT MAY BE DEDUCTED FROM THE AMOUNT DUE THE CONTRACTOR UNDER THE CONTRACT.

IN WITNESS WHEREOF, the parties to these presents have hereunto set their hands the year and date first written below.

WEST COAST ARBORISTS, INC.
CONTRACTOR

Dated: _____

Authorized Signature

Title

TYPE OF ORGANIZATION
Individual, Partnership or Corporation

(Affix corporate seal if Corporation)

Address

CITY OF LODI
a Municipal corporation

() _____
Telephone

Konradt Bartlam
City Manager
Attest:

Randi Johl, City Clerk

Approved as to Form:

D. Stephen Schwabauer
City Attorney



2. JV# _____

TO:	Internal Services Dept. - Budget Division		
3. FROM:	Rebecca Areida-Yadav	5. DATE:	04/16/2012
4. DEPARTMENT/DIVISION: PublicWorks			

	FUND #	BUS. UNIT #	ACCOUNT #	ACCOUNT TITLE	AMOUNT
A. SOURCE OF FINANCING	321		3205	Fund Balance	\$ 22,000.00
B. USE OF FINANCING	321	3215036	7720	Tree Removal	\$ 22,000.00

Please provide a description of the project, the total cost of the project, **as** well as justification for the requested adjustment. If you need more space, use an additional sheet and attach to this form.

Contract for Citywide Tree Survey with West Coast Arborists, Inc.,

Department Head Signature: AWally Sanchez

Deputy City Manager/Internal Services Manager	Date

Submit completed form to the Budget Division with any required documentation. Final approval will be provided in electronic copy format.

RESOLUTION NO. 2012-49

A RESOLUTION OF THE LODI CITY COUNCIL AWARDING
CONTRACT, AUTHORIZING THE CITY MANAGER TO
EXECUTE CONTRACT FOR CITY-WIDE TREE SURVEY 2012,
AND FURTHER APPROPRIATING FUNDS

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WHEREAS, in answer to notice duly published in accordance with law and the order of this City Council, sealed bids were received and publicly opened on April 11, 2012, at 11:00 a.m., for City-Wide Tree Survey 2012, described in the specifications therefore approved by the City Council on February 15, 2012; and

WHEREAS, said bids have been checked and tabulated and a report thereof filed with the City Manager as follows:

Bidder	Bid
West Coast Arborists, Inc.	\$ 19,275
Davey Resource Group	\$ 39,888
Rumble Tree Company	\$ 53,200

WHEREAS, staff recommends awarding the contract for City-Wide Tree Survey 2012 to the low bidder, West Coast Arborists, Inc., of Anaheim, California, in the amount of \$19,275.

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council does hereby award the contract for City-Wide Tree Survey 2012 to the low bidder, West Coast Arborists, Inc., of Anaheim, California, in the amount of \$19,275; and

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to execute the contract; and

BE IT FURTHER RESOLVED that funds in the amount of \$22,000 be appropriated from the Gas Tax Fund for this project.

Dated: May 2, 2012

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I hereby certify that Resolution No. 2012-49 was passed and adopted by the City Council of the City of Lodi in a regular meeting held May 2, 2012, by the following vote:

AYES: COUNCIL MEMBERS – Hansen, Johnson, Katzakian, and Mayor Mounce

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – Nakanishi

ABSTAIN: COUNCIL MEMBERS – None


RANDI JOHL
City Clerk